

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW MEXICO

In re:

JOE JESSE MONGE and  
ROSANA ELENA MONGE,

Case No. 19-10475-t11

Debtors.

**ORDER RESULTING FROM SCHEDULING CONFERENCE**

THIS MATTER came before the Court on March 18, 2020, for a scheduling conference on the U.S. Trustee's Motion to Convert Chapter 11 Case to Chapter 7, or in the Alternative Motion to Dismiss Chapter 11 Case Pursuant to 11 U.S.C. § 1112(b), filed February 4, 2020, doc. 76 (the "Conversion Motion"). Appearances were noted on the record. Being sufficiently advised, the Court HEREBY ORDERS:

1. Debtors shall retain bankruptcy counsel on or before April 1, 2020. Failure to comply with the Court's order shall result in conversion or dismissal of Debtors' bankruptcy case without further notice or hearing.
2. Should Debtors fail to retain counsel by the deadline, they shall inform chambers whether they prefer conversion or dismissal of their case by April 2, 2020.
3. A final hearing on the Motion to Convert or Dismiss is set on April 3, 2020, starting at 9:00 a.m., in the Brazos Courtroom, 5th Floor, Pete V. Domenici U.S. Courthouse, 333 Lomas Blvd. NW, Albuquerque, New Mexico.
4. No later than March 27, 2020, the parties shall file and serve a list of exhibits, and shall exchange exhibits for the final hearing on the Conversion Motion. Parties shall provide three copies of the exhibits to Chambers before the hearing. Debtors' exhibits are to be marked with numbers, and Movant's exhibits with letters. Each page of any multiple-page exhibit shall be

numbered. Exhibits shall be accompanied by a list of the exhibits by number or letter and a brief description or name of each exhibit. If a party intends to offer more than five exhibits, then the exhibits shall be tabbed and bound by three-ring binders or some similar binding. Any counsel requiring authentication of an exhibit must so notify in writing the offering counsel by April 1, 2020. The Court generally will exclude exhibits not exchanged as required, other than rebuttal exhibits. The parties shall be prepared to notify the Court at the beginning of the hearing which exhibits can be admitted into evidence by stipulation.

5. No later than March 27, 2020, the parties shall file and serve lists of persons they expect to call to testify at the final hearing on the Conversion Motion. The Court may exclude from testifying any witnesses not listed, other than rebuttal witnesses.

6. Unless an appeal is pending, 30 days after an order ruling on the Conversion Motion becomes final the Court will dispose of all hearing exhibits that have not been retrieved by the submitting party.



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Hon. David T. Thuma  
United States Bankruptcy Judge

Entered: March 23, 2020

Copies to: counsel of record

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